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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/753,396	01/09/2004	Young Choi	46214	6087
1609	7590	08/04/2005	EXAMINER	
ROYLANCE, ABRAMS, BERDO & GOODMAN, L.L.P. 1300 19TH STREET, N.W. SUITE 600 WASHINGTON,, DC 20036			RAMAKRISHNAIAH, MELUR	
			ART UNIT	PAPER NUMBER
			2643	

DATE MAILED: 08/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/753,396	CHOI, YOUNG	
	Examiner	Art Unit	
	Melur Ramakrishnaiah	2643	/

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lim (US 2003/0227564A1, filed 12-20-2002) in view of Takahashi (JP02002125025A).

Regarding claim 1, Lim discloses an apparatus for controlling camera in a portable terminal, wherein terminal includes a first housing having the camera (50, fig. 3) and second housing having a display screen (21, fig. 3), the apparatus comprising: a motor driving section (41, fig. 3) for generating motor driving signal to adjust a photographing angle of a lens of the camera (50, fig. 3) to a predetermined photographic angle, a motor for rotating the lens of the camera according to the motor driving signal (paragraphs: 0051-0058).

Lim differs from the claimed invention in that he does not teach the following: a first sensor installed at a first predetermined position of the second housing, a second sensor installed at a second predetermined position of the first housing in such a manner that the second sensor faces the first sensor when the second housing is in a closed position with respect to the first housing and generating a on/off signals depending on the relationship of with the first sensor.

However, Takahashi discloses foldable portable telephone which teaches the following: a first sensor (5, fig. 1) installed at a first predetermined position of the second

Art Unit: 2643

housing (3, fig. 1), a second sensor (7, fig. 1) installed at a second predetermined position of the first housing (2, fig. 1) in such a manner that the second sensor faces the first sensor when the second housing is in a closed position with respect to the first housing and generating a on/off signals depending on the relationship of with the first sensor (fig. 1, see abstract).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Lim's system to provide for the following: a first sensor installed at a first predetermined position of the second housing, a second sensor installed at a second predetermined position of the first housing in such a manner that the second sensor faces the first sensor when the second housing is in a closed position with respect to the first housing and generating a on/off signals depending on the relationship of with the first sensor as this arrangement would facilitate the user to control the camera angle when the telephone is in an open position by automatically detecting the open position of the portable telephone device, thus improving the user convenience.

3. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over unpatentable over Lim in view of Takahashi as applied to claim 1 above, and further in view of Pehrsson et al. (US PAT: 6,314,183, hereinafter Pehrsson).

Regarding claim 2, the combination does not teach the following: first sensor includes a magnet and second sensor includes a Hall effect IC.

Art Unit: 2643

However, Pehrsson discloses portable communication device which teaches the following: first sensor includes a magnet and second sensor includes a Hall effect IC (col. 1 lines 47-67).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify the combination to provide for the following: first sensor includes a magnet and second sensor includes a Hall effect IC as this arrangement would provide another well known means of determining the closed or open position of the flip of a portable telephone.

4. Claims 3-4, 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shimamura (US 2003/0125080, filed 12-27-2002) in view of Lim.

Regarding claim 3, Shimamura discloses a method for controlling a camera of a portable terminal including a second housing having a display screen and a first sensor installed a first predetermined position of the second housing and a first housing having a camera and second sensor installed at a second predetermined position of the first housing in such a manner that second sensor faces the first sensor when the second housing is in a closed position with respect to the first housing (this arrangement of sensors is implied as the reference teaches the flip sensor 51 used for detecting opening and closing of the foldable telephone in fig. 12), the method comprising the steps: detecting a state of the second housing in a photographing mode based on a signal generated from the second sensor (51, fig. 14, paragraphs: 0098), displaying an image signal photographed at an photographing angle of the lens of the camera,

Art Unit: 2643

returning the lens of the camera to an initial position of the lens when the photographic mode is finished (paragraphs: 0099-0101).

Shimamura differs from claims 3-4 in that he does not explicitly teach the following: adjusting the photographic angle of the camera to a predetermined photographic angle, and step of finely adjusting the photographic angle of lens of the camera.

However, Lim teaches the following: adjusting the photographic angle of the camera to a predetermined photographic angle, and step of finely adjusting the photographic angle of lens of the camera (paragraphs: 0051-0058).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Shimamura to provide for the following: adjusting the photographic angle of the camera to a predetermined photographic angle, and step of finely adjusting the photographic angle of lens of the camera as this arrangement would facilitate the user to adjust the camera to obtain required picture in a desired way as taught by Lim, thus enhancing operating convenience for the user to obtain correct picture to satisfy his requirements.

Regarding claim 5, Shimamura teaches the following: detecting a state of the second housing in a photographing mode based on a signal generated from the second sensor (51, fig. 14), adjusting the photographic a lens of a camera according to a predetermined data depending on the state of the second housing, displaying an image signal photographed at an adjusted photographic lens of the camera, wherein the phographic lens of the camera is adjusted according to a predetermined data

Art Unit: 2643

corresponding to a shifted state of the second housing when the state of the second housing is shifted, and image signal is repeatedly displayed (paragraphs:0098-0101).

Shimamura differs from claim 5 in that he does not explicitly teaches the following: adjusting a photographic angle of a lens of a camera.

However, Lim teaches the following: adjusting a photographic angle of a lens of a camera (paragraphs: 0051-0058).


Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Shimamura to provide for the following: adjusting a photographic angle of a lens of a camera as this arrangement would facilitate the user to adjust the camera to obtain required picture in a desired way as taught by Lim, thus enhancing operating convenience for the user to obtain correct picture to satisfy his requirements.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melur Ramakrishnaiah whose telephone number is (571)272-8098. The examiner can normally be reached on 9 Hr schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curt Kuntz can be reached on (571) 272-7499. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2643

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Melur Ramakrishnaiah
Primary Examiner
Art Unit 2643